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New York Daily Tribune.

TUESDAY, NOVEMBER 24, 1967.

TO CORRESPONDENTS.

orthors, in sonding us resultanoes, frequently omit to mention the manne of the Post-Office, and very frequently the
same of the State, to which their paper is to be sent. Alrays mention the name of the Post-Office and Sizies. notice can be taken of anonymous Communications. What ever is intended for insertion must be anthouticated by the name and address of the writer—not necessarily for publica-lion, but as a guaranty of his good feith. not undertake to return rejected Communications

Lendon Agency.

Mesara Sampson Low, Son & Co., No. 47 Ludgate Hill, Louden are sutherized to receive subscriptions to Tak Taisuna. THE WELKLY TRIBUNE of this week will go to pre-

to-morrow morning, in consequence of Thursday being appointed for Thank-giving. Advertisements for this week must therefore be handed in to-day.

We are authorized to announce that the Hon. John McKeon, the Hon. Erastus Brooks, the Hon. James R. Whiting, the Hon. James N. Reynolds. the Hee, John H. Anthon, James S. Thayer, esq., Wm. H. Fry, esq., Wm. M. Evarts, esq., and others, will address the People's Meeting in favor of Deniel F. Tiemann for Mayor, at the Academy of Music, to-night.

Two columns of troops are to be ordered to Utah from California and Oregon, according to our advices from Washington.

The Citizens' Mayoralty Convention of Boston, after several unsuccessful meetings, succeeded yesterday in cominating the Hon. Samuel A. Eliot, an ex-Mayor of the city.

There have been terrible storms upon the Western lakes and rivers. Numerous wrecks are reported. One report, which, however, lacks con firmation states that sixteen coal boats, with one hundred men and \$36,000 worth of coal, were lost last Wedrerdsy, near Caire, Ill. A steamer was burned to the water's edge near Napoleon, Ark., on Saturday. From fifty to seventy-five lives were lost. There was a terrible gale blowing all yesterday and last night, but we have not as yet heard of any serious marine disasters in this vicinity.

Some Administration papers have been very indignant at the charge brought against the Kansas Lecompton bogus Constitutional Convention of having quated the Territorial Government as established by the Kansas-Nebraska bill, by setting up in place of it a Provisional Government of their own. Yet an examination of the schedule appended to the bogus Constitution will prove this charge to be strictly and literally true. In the first place, it is to be remembered that this Convention did not meet usder any authority from Congress, but merely under an act of the Territorial Legislature, which act-even if that Legislature had been free from any objection as to the manner of its election -would have been, according to the doctrine maintained by Mr. Buchanan in the Michigan case, a mere assumption on the part of the Territorial Legislature, quite destitute of any binding authority. This Convention was, moreover, elected by a mere handful of voters, hardly exceeding fifteen hundred in number, and, as the late Territorial election proves, acted in defiance of the wishes of a very large majority of the people.

Thus unsustained either by the authority of Congress or by popular sentiment, this Convention has undertaken to impose the Constitution it has framed upon the people of the State without giving them azy option in the matter. At the election to be held on the 21st of December, all who vote are obliged by the very act of voting to indorse and accept the Constitution. They are at liberty to say "Constitution with Slavery," or "Constitution without Slavery;" but they must say Constitution at any rate; and what is more, they may be called apon under the fourteenth section of the schedule, before being allowed to vote, to take an oath to support the Constitution ' if adopted "-equivalent to an unqualified oath to support the Constitution, since whoever votes upon it at all must vote to adopt it-its adoption being a foregone conclusion without any "if" in the case.

By the seventeenth section of the schedule, "this

which time the salaries of the Governor and Lieutenent-Governor are to commence at a rate provided for in the schedule. It is true that these State officers are not to assume office, nor is the State Legislature to meet, till after the admission of the State of Kapeas as one of the independent and sovereign States of the Union. But in the mean time the authority of the Territorial Legislature is totally suspended, in place of which is established a Provisional Government, consisting of the bogus Territorial officers now in office. By this provision not merely the Territorial Legislature, but the people themselves are prevented from proceeding to any new appointments or elections, it being provided by the sixth section of the schedule that " all officers, civil or military, bolding their offices under "the authority of the Territory of Kaneas, shall con-" time to held and exercise their respective offices " till they shall be superseded by the authority of the State." In like manner the Territorial Legislature is restrained from the enactment of any new laws or the repeal of any old ones by the secend section of the schedule, which provides that ' all laws now in force in the Territory of Kansas, which are not repugnant to this Constitution "shall continue and be of force until altered, smended or repealed by a Legislature assembled by the provisions of this Constitution."

is to say, after the 21st of December, and without

waiting for any approval of the Coastitution by

Congress, or admission of Kansas into the Union.

this bogus Constitution is " to take effect and be in

" force," and a general election for officers under it

is to be held on the first Monday in January, from

The result, then, is, that this bogus Constitution. without having been submitted to the ratification of the people, or without waiting for any approval by Congress, is to take effect and be in force upon the sole authority of the Convention alone, from and after the 21st of December, and until Congress may see fit to admit Kansas into the Union. The people are to live under provisional officers and a provisional code, without any power on their part to hold new elections, to make new laws, or in any way to modify the bogus régime formerly established over them by force, and which this bogus Convention has undertaken to perpetuate until such time as Kansas may be admitted into the Union. That admission may be deferred for months and even for years; but until it takes place this schedule undertakes to continue things just as they are-that is, to perpetuate the Border-Ruffian rule which has existed in Kansas ever since the first Territorial election.

Standing armies have for centuries been the curse

of European astions. They have exhausted the financial resources, destroyed or vastly disturbed the domestic economy and husbandry of every great and small state, have formed the props of absolutism and despotism, and generally annihilated morals in the social and sexual relations. From the beginning of the sixteenth century, from the peried of Charles V. who, seconded by several Popes, sought to dominate over all Western Europe and establish a preponderance for the House of Austria, this practical malediction has been frightfully increasing. Larger States keeping bodies of troops, have forced smaller ones to do the same. When, too, religious reforms were inaugurated, Protestant States were obliged to maintain standing armies to defend freedom of conscience, and their political independence integrated with it. This twofold danger seemed to end by the middle of the seventeenth century, through the celebrated treaty of Westphalia; and was soon fellowed by the hand to-hand duel for supremacy between the House of Austria and France, and by some smaller ambitions, such as that of the Swedish house of Wasa. This configuration, with brief reposes, extended from Andalusia to the frontiers of Poland; the latter country in turn fighting at the same time with Tartars, Russians, Swedes, and Turks, while the Ottomans obliged the eastern side of the German Empire of the Republic of Venice to defend themselves. To what history calls the ambition of Louis XIV., succeeded in the course of the eighteenth century, the ambition and greediness of England, especially shown during the Premiership of the great Chatham, in attempts to destroy the maritime prependerance of Spain, France and Holland, and to seize, at least partially, their transoceanic possessions. Cotemporaneously with this was the ambition of the newly formed House of Prussia, eminently active under Frederick the Great, and that of Russia in the remote north-eastern part of Europe. But of a sudden the sacred fire of social emancipation burst forth in France. frightening the guilty deepots and the civil and clerical aristocrats of the European world. The altar of regeneration was then to be leveled, and thus the conspiracy of kings evoked the insurrectionary lava. France attacked, the revolution was finally incarnated offensively in Napoleon, and Europe became an immense battle-field, from the mouth of the Tague to the burning walls of Moscow.

The pacification of Europe in 1815 was not followed by any real disarmament. On one side the growing ambition and overweight of Russia, on the other the nations of Europe cheated of their liberties, obliged their terrified rulers to maintain large standing armies. Alexander I. of Russis, and above all, Nicholas, during their whole reigns, transformed the entire country into one immens military camp, bristling with wrath, where drill and drums made night and day hideous. With the organization of reserves and other manipulations of the public service, about one in fifty of the whole population of the empire belonged to the military This menacing establishment seemingly made it a duty for other Governments to be ready to repel Cossack invasions.

Hitherto Russia has been accused by publicists of orcing upon other States an exhaustive military organization. Now a contrary impulse and example are given by her. Alexander II., in disbanding 430 battalions of infantry and about 100 squadrons of regular cavalry, has reduced his army in all to less than three eighths of its former number. The dread of Russia can no longer decently form a plea for other sovereigns to oppress their subjects. Louis Napoleon reduces the military budget by two and a balf million dollars—an insignificant reduction if compared with the broad measure of Alexander II. The Austrian Minister unsuccess fully supplicates and adjures his Kaiser and colleagues to reduce the army, and save that empire from bankruptcy. But the Ministers of Foreign Affairs and of War answer with a peremptory Nopointing to Sardinia, Italy and Hungary. England, too, owing to her Indian troubles, arms her militia, and increases her forces.

This action on the part of Alexander II. induces us to believe that he is the first from among a long ine of Czars, who understands truly the characte of his people. Hitherto, every nation existing in "Constitution shall take effect and be in force from | history has sword in hand established her political

others; but her people at large, agriculturist by calling and necessity, cherish above all the quiet delights of the domestic hearth, without being individually ambitious or dazzled by military glory as are the French, or ready to become mercenaries for wheever hires them, as are the Germans-Germany having been the bive of mercenaries for whatever object during the whole history of post-Roman Eurepe. The ambition of rulers, rather than the inward national impulse, has dragged the Russians into European broits. Alexander II. seems at least decided not to escribes to the god of War.

In a country like our own, it is not necessary to enumerate the multiform blessings which arise, when hundreds of thousands of able-bodied men devote their skill, energy and labor to pacific pursuite, ipstead of losing them in war's labyrinth and from becoming destroyers of society, are changed into its beneficent agents.

The Boston Courier, which does not bear the election of Mr. Banks with that philosophical equanimity which is always desirable under adverse circumstances, is especially exercised and scandalized that the successful candidate should have presented himself in person before the citizens previous to the election-that he should, to use the commen phrase, have "stumped the State." The Courier sees in this a lamentable downfall of ancient dignity and decency-something, in fact, altogether subversive of good government, revolutionary and disorganizing. The Courier declares that such a course is not suited to "the subdued tastes" of the people, by which it can only mean the tastes of the subdued people; since the mass of the voters do not appear to have been grieved to the heart's core by the spectacle On the contrary, it is safe to say that the precedent introduced by Mr. Banks has received a mest decided sanctionat the hands of the bonest and intelligent voters of Massachusetts, and that it is much more likely to be followed than abandeped. And really we cannot see why our brethren of The Courier should break their hearts at the prospect. In the first place, it is not true that the practice is such an innovation as our friends seem to consider it. On the contrary, in many parts of the country it has always existed; and to a limited extent it has existed in Massachusetts, where it has not been an entirely unknown thing for candidates to address voters. In England, the rigidest Conservative, as well as the extremest Radical, plainly and plumply from the hustings, and without any circumlocution, asks the people for their votes. The mode has never been thought indelicate or undignified except in States in which it was not followed. We are not at all inclined to regard the foreign way as the best and our own as the worst; 'and it may not be amiss for The Courier to inquire whether, if there had always been "stumping" in Massachusetts, anybody there would have found in it any innate demoralizing tendency at this time.

A single word of the indelicacy. We suppose it o be a pretty well established fact in politics that when a man accepts a nomination he would rather prefer success to defeat. The simple fact that he s a candidate is an implied request for the votes of the people. Then, too, when was it thought improper for a gentleman innomination to write reams of letters expatiating upon all things in heaven and earth in convincing and seductive language? But if a man may write a letter, why may he not make

For our own part, in searching for the disadvantages and improprieties of the custom, we can not find a single one to extenuate; nor has The Courier helped us in our dilemma. To be sure, that paper says:

"Shall a citizen hereafter be chosen Governor of Massachusetts on the condition not jot his ability, integrity and eminent public service, but because he is capable of treating us to just so much 'windpenspiration of forced breath?'"

To this it may be replied that a person only ca pable of the windy suspiration aforesaid is just the man to go about and show himself in order that the people may not be wheedled into supporting him. His wind would probably blow him up in a very short space of time. Some fools get a great reputation for wisdom by looking solemn and holding their deemed able or honest because he went about uttering nonsense. Voters are supposed to possesse some intelligence; and if this presumption in their favor be not a false one, public canvassing on the part of the candidates would exercise a salutary effect upon public affairs.

What the people want is political information: and we do not know any way in which this can be furnished in a more agreeable manter than by those debates between rival candidates which are so universal at the West and South. There public questions are publicly discussed by the ablest men, who are never gagged because they are candidates. In this way, the people become thoroughly asquainted with political characters and events, and are just as likely to find out the mere demagague as he is to chest them. If there be good objections to "stumping," let us have them. Those advanced by The Courier are child sh.

The only indelicacy which we can imagine as the coult of the custom would be a forward and imsudent advance of personal pretensions, which would be, indeed, offensive to "the subdued tastes" which The Courier does so relish. But, as in private affairs, this egotism and impertinence are sure to be severely snubbed, why not in public affairs? The people are extremely sensitive in these matters. In none of the speeches made by Mr. Banks, so far as our memory and the reports serve us, did he suffer himself to be betrayed into any such imprudent self glorification. Everybody. from the least to the most refined, understands that nothing so becomes a man as modesty; and we supocse this has been and always will be felt by a me jerity of orators and audiences. It is a matter of good breeding among public men to speak with numility of their services. They do so, if not sincerely, at least from politic motives; so that under my circumstances it is not probable that the delieacy of those who are of The Courier's way of thinking will be offended, unless it really amounts to squeamishness.

We have said that political information is neces eary in enabling the people to form correct po-litical decisions. We believe that if the naked and absolute truth respecting affairs in Kansas could have been generally presented to the electors of Pennsylvania, previous to the late election in that State, David Wilmot would have been the triumphant candidate for Governor. The voters were hugger-muggered by the Administration newspapers into the notion that all was going on smoothly in that per secuted Territory. A general "stump" of the State by the rival candidates, each following the other, or both speaking to the same audiences. would have opened many eyes which were sealed by persistent and perpetual Democratic falseboods And we do not know any persons who are, or who should be, so well fitted to wage this war of words, upon one side or the other to be equal to the task of administering State affairs.

Another great object is to get everybody to vote who can vote. The peripatetic teachings of distirguished men keep slive the popular interest in politics, make the masses thick, and shame them out of idly staying away from the polls. The caucus. meeting or barbecue at which a distinguished candidate is present will draw many who would otherwise keep away. A thorough "stumping" of New York this year would probably have drawn out our reserved, stay at home forces, and given us the

-So much for "stumping." We think our suggestions in its favor quite equal to The Courser's objections.

Some of our cotemporaries seem to think that the position taken by Brigham Young and the Mormons of actual resistance to the authority of the United States has relieved the Mormon question of most of its embarrassments. It is, they tell us, no longer a question of polygamy, it has become a question of treason. But this does not seem an enrely accurate statement. It would be more correct to say that to the question of polygamy a question of treason has been added, and, as it seems to us, a question no less difficult and embarrassing than that of polygamy itself. What is to be done with these traitors? How are they to be disposed of? In modern times, and among civilized nations, this question of dealing with rebels has proved more embarrassing than any other. It is not Brigham Young alone that is to be dealt with. Here are a hundred thousand Mormons, more or less, including an unusual proportion of women and children. What is to be done with them? To bang them all, or any considerable proportion of them, is out of the question, and to wage a war of extermination against them is a horrible expedient. The idea is suggested, indeed, that we shall get rid of the Mormons by their moving away. It seems to be thought that the present operations of Brigham Young are only to gain time, and that in the Spring he, and all the Mormons with him, will move off in a body. But where are they to go Some say to the British territories, some to the Russian territories, some say south into Mexico. But we are not aware of any body of unoccupied lands in either of these places of s character sufficiently attractive to draw the Mormons thither, or in fact such as would hold out to them the prospect even of a bare subsistence. The original flight of the Mormons to the Salt Lake Valley, full of hardships as it was, would be a mere pleasure party in comparison to this new migration. They could hardly expect to alight by accident, as before, upon another place of temporary refuge, like that of the Salt Lake Valley. It would seem more likely that, if pushed to extremity, they might scatter in small bands among the mountains, and, smalgamating with the Indians and subsiding into a savage state, might furnish those wild regions with a more dangerous and formidable population than they have yet possessed.

Whatever may be thought of Brigham Young and the other leaders, it cannot be doubted that the great body of the Mormons are acting under an honest delusion. In undertaking to relieve these deluded persons from the tyranny and domination of their chiefs-which we suppose to be the real object of the present expedition—it was unpardonable in the Government to have played as they have done into the hands of those leaders. By omitting to make any distinct statement of the object of the expedition-if indeed the expedition has not gone on without any distinct idea of what it was to do-they have left the Mormon leaders at liberty to stir up the fanaticism of their followers by putting their own interpretation on the movement. And the interpretation they have put on it is very evident from Brigham Young's proclamation. They regard this expedition, not as intended merely to enforce the authority of the United States in the Territory, but as intended, in fact, to drive them out of the valley, just as in former times they were driven first out of Missouri and then out of Blinois. Taking this view of the care, considering themselves as having nothing to lose by resistance—not to mention their confidence in special interferences of Providence in their favor-nothing is more natural than the determina tion they seem to have taken, to stand desperately at bay and to repel force by force. And as if to encourage them in this very determination, no less embarrassing to us than fatal to themselves, the expedition, instead of advancing into the valley by midsummer, as it should have done, and before the Mormons had had time to nerve themselves up to the point of resistance, is delayed to the commence ment of Winter, and then approaches the Territory reduced to less than half the number origin nally intended, and under circumstances that give the Mormons, if they are inclined to fight, every possible temporary advantage.

Another great piece of folly has been the leaving Brigham Young in possession of the title and authority of Governor of the Territory. It is by virtue of that very authority that he new underskes to order the United States troops out of the Territory. Thus, while resisting the authority of the United States, he claims to act under their commission. That this c'aim is utterly baseless is evident enough, but considering the erversions of authority which prevail elsewhere, t is hardly to be expected that Brigham Young's claims as the lawful Governor of the Territorylet alone his pretensions as high priest and prophet -should not invest his orders in the eyes of the isnorant Mormons with a certain semblance of le-

A cursory review of history affords us nothing like the San Francisco Vigilance Committee. The last mail from California brings to us an Address which may be regarded substantially as the abdice tien of its authority. It surrenders with a grace quite germane to its original pretensions. In its napifesto, without abandoning its vigorous and at the same time quiet grasp upon illicit authority, it pays tribute to the Law and the Constitution; and lecrees that it will hang no more thieves and murderere, if only the regularly-constituted judicial authorities will perform the necessary strangulation. And the gentlemen of the Executive Committee appear to have arrived at the conclusion that hereafter it will be safe to allow Juries to convict and Judges to sentence. Petty-larcenous persons will have no more chance; the burglariously-disposed will be packed off to that State Prison which cost so much money; the Judges have grown suddenly honest, and the Jurors models of incorruptibility and so the Vigilance Committee, having done its work, retires. We cannot permit it to retire with out paying to it a certain meed of respect. Without pretending to vindicate, we may say something in extenuation of its usurpations.

And, first, of those usurpations. Anything more equitable can hardly be discovered in the world's and after its ratification by the people." That | and geographical condition. Russia has acted like | of opinions and of facts, as those who are supposed | annals. The formation of the first Committee was

a revolution without the excesses of a revolution. We think we may say that, in all the records of popular uprisings, nothing can be found to challenge it. Here were men deserting their daily and most profitable avecations-risking their own lives and berty-floating to their very faces the legally constituted Judicial authorities-ignoring the State jurisdiction-spending their personal money freely. since the public expenditure brought no requitaldetermined that, at all bazards, there should be no more miserable marsuding and murdering in San Francisco. The immensely flagrant must swingthe suspicious and disreputable may give leg-bail. "But hereafter," said this Vigilance Committee, we will not live in this perpetual condition of alarm. Hereafter, the bread shall not be stolen from the very lips of our dearest. Judges are false-Juries are venal. No scoundrel, however scoundrelly, but goes unwhipped of justice. On the other hand, he whips us, who strive to be honest. Ergo, if we catch him purloining or murdering, we shall be under the necessity of requiring him to walk out of this upper-story door of a warehouse, with a new hempen cravat, by us for him especially devised and twisted. As for the miner sinners, let them, in the devil's name, depart, under pain of capital execution if

they return.' A notable resolution, suggestive, undoubtedly, of anarchy, and easily to be proved illegal by the smallest reference to the smallest law library in this country. Very terrible, no doubt, to the adventurous gentlemen who were compelled to walk out of the elevated doors. Positively inconvenient to the hard workers at private pockets. Quite disgusting to the burgiars. A perfect misery to the murderers. A general bursting up of speculations not upon good terms with the statutes. Honesty to be observed, upon pain of dancing upon nothing.

Very bad! It is due to these Vigilance Committees, both the First and the Second, to say that in no one instance ave we discovered any abuse of their authority, nor any attempt to employ their power for private ends. We cannot learn that either of them have hung any person who did not, as human opinion goes, richly deserve hanging. The people bauished were just the people to be banished; and it is only to be objected that no one has a right to obtrude his personal nuisances upon his neighbors. The gentlemen who, for the sake of social order, cheerfully submitted themselves to the chance of indictment, sentence and execution, must have taken very wide, and we fear that we must add, very wise views of public responsibility. No more than revolutions are Vigilance Committees to be recommended But, as necessity knows no law, we do not propose to prescribe laws for necessity.

And yet all of us will be pleased to learn that the police condition of California authorizes the virtual liebanding of the Vigilance Committee. Law is certainly better than anarchy, whenever anarchy is not the better law.

There is satisfaction in perceiving a concatena tion between a man's premises and his conclusions. On this ground we cannot but greatly admire, and probably our readers will do the same, a little extract which we are about to quote from a speech delivered in the late bogus Kansas Constitutional Convention. The orator was one John Randolph, South Carolinian, one of the most fluent speakers n that distinguished body. The subject was the allowance or prohibition of Slavery and the Slavetrade. In reply to a fellow-member who opposed the importation of slaves for sale, that distinguished Border-Ruffian expressed himself as fol-

it Wa: "What does the gentieman mean by talking about traffic human flesh? Does he think that niggers are human, that the are flesh and bloed like ourselves! Why, if John Randolph it lieved that niggers were men, no matter in however slight a d gree, this Convention would not find John Randolph on it floor of that hall advocating Blavery. No! if he thought the niggers were human flesh and blood, possessed of human feeting, affections and thoughts, having an immortal soul, John Randolph would be an Abolitionist. What: buy and sell our ow flesh and blood! Trade in human souls! No! no! he believe me to the start of the sell our ow flesh and blood! Trade in human souls! No! no! he believe in no such sickly stoff as that: and for gentlemen affecting hold that Slavery was abstractly right, and put themselves for ward as subvocates of Southern Kithts. to talk about the traffic in human flesh and blood. was simply balderdash. He didn believe niggers to be human any more than a horse or a dog, is he did, he should advocate their right to freedom."

Now, whatever opinion may be formed of Mr. John Randelph's facts, his logic is unexceptionable If the negroes are men, then it must be wrong to hold them in Slavery. We particularly recommend this speech to the serious consideration of The Journal of Commerce, The Observer, and other prints of that stamp. They profess to believe, and no doubt as yet they do believe, that the negroes are possessed of human feelings, affections and thoughts, and especially that they have immortal souls—souls for the salvation of which those journals profess a great concern. Entertaining those opinions, instead of coming forward as the advocates of what are called Southern rights-which, according to the new interpretation of those rights, include not only the perpetuity of Slavery, but its irdefinite extension, if not indeed its recestablishment in all the States-these journals ought, in all consistency, to be Abolitionists. The abolition movement, whether in England or this country, grew, in fact, out of the idea that the negroes have not merely human feelings, affections and thoughts, but souls, and immortal souls. The movement for the abolition of Slavery was, the beginning and still is, substantially

ceive that the existence of Slavery leads inevitably to an aristocracy of the worst sort; political economists may prove that it is inconsistent with our great increase of wealth or development of civilization: but after all, it has been the religious view of the subject which has brought it prominent. y forward and has led to action upon it. All the most distinguashed and influential opponents o Slavery have issued from the very bosom of th church. This is beginning to be generally per ceived. Mr. John Randolph speaks not for himsel merely, but for the great body of the more intelli gent advocates of the lawfulness of Slavery. Con eistency and the security of the institution will alik equire that the negroes shall be excluded not merely from civil privileges, but from church privilege also. It will not be long before The Observer an Journal of Commerce will be distinctly called upon by their slaveholding clients to take that ground. In the mean time we recommend the subject to their prayer-

s religious movement. Politicians may per-

The hostility and opposition to the English Diworce bill seems, on the part at least of certain dergymen and laymen of the Established Church, be as rampant as ever. Notwithstanding the passage of the act, hopes appear to be entertained of yet preventing it from going into operation It seems that the act, by its terms, is to go into effect only on or after the first of January next, and then by virtue of an order in council, to be issued for that purpose; and a petition is now in the course of signature, praying the Queen not to issue any such order in council until the act shall have first been submitted to Parliament for revision.

The ground of this petition is that the Divorce | board an American ship is reported in our last 50;

Act, or at least those provisions of it which recognize the absolute dissolubility of marriage and allow the divorced parties to be remarried according the ritual of the English Church, are in conflict with the ritual of the Engues Courton, and amount in substance to a repeal by implies and amount in substance to a repeal by implies and amount in substance to a repeal by implies (13 and 14 Charles II., ch. 4). The alloged on flict is made out in this way: By that act, the Book of Common Prayer, as settled at the last previous revision, is made the law of the land; every bene ficed minister of the Established Church being required " to declare openly and publicly before the congregation his unfeigned assent and comest to the use of all trings contained in it." Now that Book of Common Prayer, thus made the law of the and, contains, in the form of solemnization of matrimore which makes a part of it, a prayer as follows: "O God, who by thy mighty power hast made all things out of nothing; who also (after other things set in order) didst appoint that out of man (cros. ted after thy own image and similitude) woman should take her beginning; and knitting them together didst teach that it should never be lawful to " put asunder those whem thou by matrimony hast made one." And the petitioners further allege that beside this cited passage the form of sole miration of matrimony contains many other expressions and declarations to the same effect, especially the prohibitory words, "These whom God has joined "together, let not man put asunder;" while, as they insist, there is no word either in the marriage service, or in any other of the formularies of the Church, to show or suggest that it has ever been the judgment of the Church that marriage, once lawfully contracted, could be dissolved except by death.

Such being the case, the petitioners apprehend that, in passing the Divorce set, Parling ent could not exactly have known what they were about, or at least, if they did, that they have inaugurated most alarming precedent. The Act of Uniformity is the legal and constitutional basis of the public ministrations of the Church of England, and if the principle is once admitted of repealing any material portion of it, indirectly and by implication, the plain meaning of the Prayer Book may be pullified its express directions imperceptibly abregated, and fundamental alterations may be effected without any attention awakened to the subject, so that in fact, by this process, the Establishment may be all frittered away before anybody knows what is going

Another point taken by the petitioners is that as the Divoce act applies to England alone, and not to Ireland, the United Church of England and Ireland is, in fact, disunited by it, inasmuch as in Ireland marriage remains indissoluble, while in England it has become dissoluble.

Under these circumstances, the petitioners suggest that the act, before being allowed to go into effect, should be again submitted to Parliamentary revisien, so that at least care may be taken that whatever the Legislature may see fit to enact respecting the civil contract of marriage, no violence be done to the plain language of the Prayer Book, to the consciences of the clergy and laity of the Church of England, and to the law of the Church as identified with the law of the State by the Act of Uniformity. In thus persevering to the bitter end, the opposers of divorce must be admitted to exhibit characteristic English pluck. But then Lord Palmerston is a man of pluck too, and we apprehend that the petitioners will hardly succeed in delaying the operation of the act.

A year ago last April a case was commerced in the Surrogate's Court in this city, which was concluded yesterday noon, after one hundred and eleven sittings occupied in the examination of witnesses, and two weeks in the arguments of counsel. The Parish Will case is undoubtedly the most important cause, in the amount of property involved, the peculiar and remarkable features which characterise it throughout, and in the eminence of counsel engaged, which has ever been submitted to the Court of Probate in this city. A brief statement of its more remarkable and leading points will prepare the way for a clear understanding of the decision Judge who now occupies the position of Surrogate.

Henry Parish, for many years a prominent merchant in this city, as well as in Charleston and New-Orleans, made a will in 1842, in which he bequeathed a large property to his wife, provided and somely for a large circle of relatives and friends, while the residue, if any, after satisfying analry specific bequests, was given to his brothers Daniel and James. In 1849, Mr. Parish was struck with paralysis, and from that time to his death, in 1856, was deprived entirely of the use of his right side, and almost entirely of his power of speech. After this paralysis, three codicils were made to the original will. In these he revoked the appointment of his brothers as executors, and the bequest to them of his residuary estate, and after various bequests to charitable institutions, leaves the whole of the residuum to his wife. His estate during his illness had increased very largely in value, being estimated in 1842, at the time of making the original will, at about \$700,000, and at the time of his death, in 1856, at rather more than \$1,500,000. The probate of the codicils made after the attack in '49 is opposed by Daniel and James Pariel, on the ground of incompetency and undue influence on the part of the wife. The original will and the codicils are opposed by the two sisters of the decedent on the ground of implied revocation.

This, in brief, is the summary of this important action-important in many essential points to the vital interests of society. Can a confirmed paralytic make a will? The evidence has been unusually voluminous, occupying six royal octave printed volumes. A large amount of proof is offered on both sides. With the decision of Judge Bradford will close the immediate interest which the public have felt in the cause. This may be expected, we understand by about the 1st of January next. The arguments of counsel have been exceedingly powerful, indeed, we may character ze the summing up in this case as one of the greatest forensic efforts ever witnessed at the New-York bar. Mr. Evarts opened for Mrs. Parish, the proponent, in a very lucid, learned and eloquent argument, in every respect equaling the reputation of that gentleman. He was followed, for the contestants, by Mr. O'Conor in an argument acknowledged to be one of his greatest efforts. Judge Edmonds followed for the sisters. Mr. James T. Brady occupied two days for the contestants, and Mr. Francis B. Catting closed for Mrs. Parish. Taken as a whole, we shall probably not see such a contest again, or have an opportunity to record so brilliant a passage between such brilliant antagonists. It is especially a source of congratulation that they were able to conclude the case before the Judge who had heard the evidence from the beginning.

Another case of cruelty and unlawful violence on